

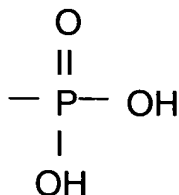
**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in this Application:

**Listing of Claims:**

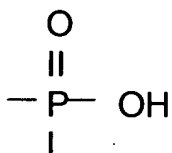
- 1) (canceled)
- 2) (Previously Presented) A formulation according to claim 23, wherein the hectorite is selected from the group consisting of calcium hectorite and sodium hectorite.
- 3) (Previously Presented) The formulation according to claim 23, wherein the hectorite is sodium hectorite.
- 4) (canceled)
- 5) (Previously Presented) The paint formulation according to claim 23, wherein the phosphonate additive is selected from the group consisting of:

a) Phosphonic acid compounds that contain at least two moieties having the structure:



and salts thereof,

b) Phosphinic acid compounds that contain at least two moieties having the structure:



and salts thereof, and

c) Compounds which form phosphoric or phosphinic acids, or salts thereof.

6) (Previously Presented) The paint formulation according to claim 23, further comprising an alkali swellable-rheological additive.

7) (Currently amended) The formulation according to claim 23 wherein the hectorite is sodium hectorite and the phosphonate compound is selected from the group consisting of:

- a) Diphosphonic acids of formula  $R^1R^2C(PO(OH)_2)_2$ ,
- b) Diphosphonic acids of formula  $R^1-CR^2(PO(OH)_2)-R^3-CR^2PO(OH)_2-R^5$ ,
- c) Phosphonic acids with general formula  $R^1R^4C=C(PO(OH)_2)_2$ , and
- d) The lithium, sodium, potassium, calcium and magnesium salts of the compounds

described under a), b) and c),

where  $R^1$  is selected from the group consisting of H, a linear or branched alkyl, alkene, hydroxyalkyl, aminoalkyl, hydroxyalkene, aminoalkene with 1 to 22 carbon atoms and an aryl, hydroxyaryl, aminoaryl with 6 to 22 carbon atoms;  $R^2$  is selected from the group consisting of  $R^1$  and OH;  $R^3$  is an alkyl with 0 to 22 carbon atoms; and both  $R^4$  and  $R^5$  is selected from the group  $R^1$ .

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8) (Previously Presented) The formulation according to claim 23, wherein the phosphonate additive is selected from the group consisting of 1-hydroxyethylene-1,1-diphosphonic acid sodium salt or an ester thereof.

9) (Original) The formulation according to claim 8, wherein the hectorite is sodium hectorite.

10) (Currently amended) The paint formulation of claim 23 wherein the hectorite clay comprises about 0.1 to 10 wt. % hectorite clay; and the one or more phosphonate additives comprise about 0.5 to 6 wt % based on the weight of the hectorite clay.

11) (Original) The paint formulation according to claim 10, wherein the hectorite is selected from the group consisting of calcium hectorite and sodium hectorite and the formulation contains a rheological additive.

12) (Original) The paint formulation according to claim 10, where the phosphonate additive is selected from the group consisting of a 1-hydroxyethylene-1,1-diphosphonic acid, a salt thereof and an ester thereof.

13 ) (Currently amended) A method of making an automotive metallic paint formulation comprising:

a) treating beneficiated or unbeneficiated natural hectorite with one or more phosphonate additives; and

b) adding the treated beneficiated or unbeneficiated natural hectorite to a paint formulation which comprises metallic flakes.

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14) (Currently amended) A method of making an automotive metallic paint formulation comprising:

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Deleted: claim 13

a) treating a mixture of hectorite and water with one or more phosphonate additives to form a clay slurry; and

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b) drying the resultant treated mixture; and

c) adding the dried treated mixture to the paint formulation which comprises the metal flakes.

15) (Cancelled)

16) (Previously Presented) The method of claim 13 comprising:

adding the treated mixture to the paint formulation as a pregel in water.

17) (Previously Presented) The method according to claim 16, wherein the phosphonate additive is 1-hydroxyethylene-1,1-diphosphonic acid tetra sodium salt.

18) (canceled)

19) (canceled)

20) (canceled)

21) (canceled)

22) (Previously Presented) The metallic paint formulation of claim 23 further comprising an alkali swellable rheological additive.

23) (Currently amended) An automotive metallic paint formulation comprising:

a) at least 0.1% of beneficiated or unbeneficiated natural hectorite clay;

b) from about 0.5 to 15 wt. %, based on the weight of the clay, of one or more phosphonate additives;

c) metallic flakes selected from the group consisting of aluminum, copper and mixtures thereof; and

d) water.

24) (Previously Presented) A metallic paint formulation prepared by the process of claim 16.

25) (Currently amended) The method of claim 13 wherein the beneficiated or unbeneficiated natural hectorite and, phosphonate additives, are added as a post-correction additive.

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26) (Original) The metallic paint formulation of claim 23 further comprising an alkali swellable chemical.

27) (Previously Presented) A metallic paint formulation prepared by the process of claim 13.

28) (Cancelled)

29) (Currently amended) The metallic paint formulation of claim 23 prepared by a process wherein the clay, phosphonate and water are added to the metallic paint formulation as a pregel.

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30) (Currently amended) The metallic paint formulation of claim 23 prepared by a process wherein the clay, phosphonate and water are added to the metallic paint formulation as a post-correction additive.

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31) (Currently amended) The metallic paint formulation of claim 23 further comprising an alkali swellable chemical.

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32) (Currently amended) The metallic paint formulation of claim 23 prepared by a process wherein the clay and the phosphonate additive are added to the formulation as a mixture.

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33) (Currently amended) The paint formulation of claim 5 wherein the phosphonate additive is selected from the group consisting of lithium, sodium, potassium, calcium and magnesium salts of the compounds described under (a), (b) and (c).